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APPLICATION NUMBER FILING OR 371 (c) DATE FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE

10/661,641

09/15/2003

Burke T. Barrett

1000.026CON -

CONFIRMATION NO. 8000

OC000000020504840

CYBERONICS, INC. LEGAL DEPARTMENT, 6TH FLOOR 100 CYBERONICS BOULEVARD HOUSTON, TX 77058

Date Mailed: 09/20/2006

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/08/2006.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

MY-HOA NGUYEN

PTOSS (703) 305-0677 EXT 146---

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Burke T. Barrett

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CONFIRMATION NO. 8000

OC000000020504797

27557 BLANK ROME LLP 600 NEW HAMPSHIRE AVENUE, N.W. WASHINGTON, DC 20037

Date Mailed: 09/20/2006

NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/08/2006.

• The Power of Attorney to you in this application has been revoked by the assignee who has intervened as provided by 37 CFR 3.71. Future correspondence will be mailed to the new address of record(37 CFR 1.33).

MY-HOA NGUYEN

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